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MONTANA LEGISLATIVE HISTORY

Chapter 104 Session L 1977
Bill House 66 Senate _____

History and final status sheet n/a
Introduced bill X
Fiscal note X
Third reading bill X
Final version of bill X

House Committee on Education

Hearing date(s)* 1/12 1/19
1/21 1/26

Executive action (vote) date(s)* 1/12 & 1/26

Comm. Report 1/27

Floor 2nd reading & vote 1/12, 1/31

Floor 3rd reading & vote 2/3

Senate Committee on Education

Hearing date(s)* 2/22 3/8

Executive action (vote) date(s)* 3/8

Comm. Report n/a

Floor 2nd reading & vote 3/10

Floor 3rd reading & vote 3/12

Conference or Free Conference Comm. _____ Yes X No

Hearing date(s)* _____

Executive action (vote) date(s)* _____

* Includes minutes, exhibits, roll call, visitors register, and vote sheet if available.

Did this bill originate in an interim committee? _____ Yes X No

Committee _____ Report _____

NOTES:

001



Compiled by: DM

Date: 12/21/16

1 HB BILL NO. 66
 2 INTRODUCED BY Bobbie Bartelme, Liaison
 3 Okannell, Jillyan Astoria Kiden

4 A BILL FOR AN ACT ENTITLED: "AN ACT CREATING A FIRE
 5 SERVICES TRAINING SCHOOL."

6
 7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

8 Section 1. Fire services training school -- creation
 9 -- allocation to the board of public education. There is a
 10 fire services training school. The fire services training
 11 school is allocated to the board of public education for
 12 purposes of planning and coordination. The budget request
 13 for the fire services training school shall be included with
 14 the budget request of the board of public education. The
 15 governance, management, and control of the school is vested
 16 in the board of public education.

17 Section 2. Purpose of fire services training school.
 18 The purpose of the fire services training school is to:

- 19 (1) reduce the loss of life and personal injury caused
 20 by fire;
 21 (2) reduce property damage and loss caused by fire;
 22 (3) provide paid, volunteer, and other publicly or
 23 privately employed firefighters with professional training
 24 at minimum cost;
 25 (4) provide training in investigating the cause of

1 fire;

2 (5) develop new methods of fire prevention and
 3 firefighting;

4 (6) provide expertise for testing firefighting methods
 5 and firefighting equipment;

6 (7) provide public educational programs to promote
 7 fire prevention.

8 Section 3. Fire services training advisory council.

9 (1) The board of public education shall appoint a fire
 10 services training advisory council to work with the director
 11 of the fire services training school. The membership of the
 12 council shall include the following:

- 13 (a) a fire chief;
 14 (b) a volunteer firefighter;
 15 (c) a paid firefighter;
 16 (d) a fire service instructor;
 17 (e) a person involved in fire prevention;
 18 (f) an engineering representative of the insurance
 19 services office;
 20 (g) a representative of the fire protection
 21 engineering industry;
 22 (h) a fire control officer recommended by the
 23 administrator of the division of forestry.
 24 (2) The board shall solicit and consider the
 25 recommendations of appropriate organizations and

INTRODUCED BILL

1 associations of fire service personnel in making
2 appointments under subsection (1) of this section.

3 (3) Members appointed shall serve for a 4-year term.
4 If a vacancy occurs, a member shall be appointed to fill the
5 unexpired term. A member may be reappointed.

6 (4) The state fire marshal and director of the fire
7 services training school are ex officio members of the
8 council.

9 Section 4. Organization of fire services training
10 advisory council -- procedures -- compensation of members.

11 (1) The members of the fire services advisory council shall
12 elect a chairman, a vice-chairman, and such other officers
13 considered advisable by the council. The terms of the
14 officers shall be established by the council.

15 (2) The council shall adopt rules governing its
16 procedures subject to approval of the board of public
17 education.

18 (3) Members of the council shall receive compensation
19 under 59-538, 59-539, and 59-801.

20 Section 5. Duties of the fire services training
21 advisory council. The fire services training advisory
22 council shall advise the board and director of the fire
23 services training school on planning, coordination,
24 governance, management, and control of the fire services
25 training school to promote the purposes of the school.

1 Section 6. Appointment of director of the fire
2 services training school. (1) The board of public education
3 shall appoint the director of the fire services training
4 school. The director is responsible to the board for
5 carrying out the provisions of this act.

6 (2) The director may be removed for cause.

7 (3) The director must have the following
8 qualifications:

9 (a) a bachelor's degree in a field of study related to
10 fire protection; or

11 (b) 5 years' experience in an organized training
12 program as an instructor and 7 years' experience as a
13 firefighter or fire combat officer.

14 Section 7. Duties of fire services training school
15 director. The director shall appoint a staff and execute
16 policies and programs established by the board of public
17 education for the fire services training school. The
18 director is responsible for the direction of staff and
19 operation of the school.

20 Section 8. Acceptance of gifts, donations, and grants
21 authorized. The board of public education may accept gifts,
22 donations, and grants of property and services on behalf of
23 the fire services training school. The board may enter into
24 contractual agreements necessary to facilitate achievement
25 of the purposes of the school.

1 Section 9. Coordination with other agencies. The fire
2 services training school shall coordinate its programs and
3 cooperate with state and local fire services to the maximum
4 possible extent in accordance with the policy of the board
5 of public education.

-End-

004

STATE OF MONTANA

REQUEST NO. 15-77

FISCAL NOTE

Form BD-15

In compliance with a written request received January 6, 19 77, there is hereby submitted a Fiscal Note for House Bill 66 pursuant to Chapter 53, Laws of Montana, 1965 - Thirty-Ninth Legislative Assembly.

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION OF PROPOSED LEGISLATION:

An act to create a Fire Services Training School.

ASSUMPTIONS:

1. School will employ a mobile concept requiring six (6) fully equipped trucks. Equipment will include audio visual equipment such as 16mm and 35mm projectors, projection screens, video tape camera, recorder and monitor, and cassette players and recorders; a breathing air compressor and cascade system; and a hose coupler. Also, six fifth-wheel simulator trailers will be required, fully equipped.
2. Eight (8) instructors are necessary six (6) of which will be assigned to regions.
3. The School will train the fire service in all factions of the fire service, from entry through officership.
4. A training school is currently operating at the Great Falls Vo-Tech Center and is state funded.

FISCAL IMPACT:

	<u>FY 78</u>	<u>FY 79</u>	<u>TOTAL</u>
Cost of School using above assumptions			
Personal Services	\$242,557	\$247,206	\$489,763
Operating Expenses	95,350	105,330	200,680
Equipment	<u>357,000</u>	<u>5,000</u>	<u>362,000</u>
Total Proposed Cost	<u>694,907</u>	<u>357,536</u>	<u>1,052,443</u>
Less: Cost to maintain School at current level			
Personal Services	81,995	83,922	165,917
Operating Expenses	<u>36,550</u>	<u>39,550</u>	<u>76,100</u>
Total Current Level Cost	<u>118,545*</u>	<u>123,472*</u>	<u>242,017*</u>
Increased cost of legislation	<u>\$576,362</u>	<u>\$234,064</u>	<u>\$810,426</u>

*Amount recommended in Executive Budget.

005


 BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 1/12/77

STATE OF MONTANA

Amended
REQUEST NO. 15-77

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Form BD-15

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CLARIFICATION:

The increased cost shown would result only if the fire services training school received its requested level of funding for expanded programs. Enactment of HB 66 will not appreciably affect the required funding per se, but merely transfer administration from the Great Falls Vo-Tech Center to the Board of Public Education.

006

Richard L. Dwyer
 BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 2-1-77

EDUCATION COMMITTEE

January 12, 1977

The committee was called to order at 3:30 p.m., with all members present.

House Bill 66 was discussed. Rep. Bertelsen, sponsor of the bill, explained the bill by reading the attached sheet. He said that Dan Mizner, Executive Director of the Montana League of Cities and Towns supports the bill, as does the Montana Association of Fire Chiefs.

Proponents who testified in favor of the bill were Jim Maclin, Larry C. Key, Dave Fisher, Art Korn, Al Sampson, Bill Ball, Gordon Warner and William Penttila. Their testimony is attached.

In answer to questions, Terry Cohea said that under 82A, the reorganization Act, the Board of Public Education has the right to appoint advisory councils which serve at their pleasure. The Supreme Court decision regarding vocational education dealt with administrative powers of the State Board of Education, not the Board of Public Education's ability to be an administrative agency. Rep. Gunderson said that executive reorganization covers this problem of advisory councils.

There being no further questions, the witnesses were excused and the committee went into executive session.

Rep. Barrett moved that House Bill 56 DO PASS. As a substitute motion, Rep. Lory moved that it DO NOT PASS. In answer to a question, Terry said that she spoke to Dr. Irving Daton in the Commissioner of Higher Education's Office. He said it will be a year before the role and scope study of the university units is done. Rep. Lory said that Eastern Montana College is not a university. Rep. Kessler disagreed. The Chairperson read the fiscal note, attached. After more discussion, the substitute motion was voted on and passed, 10 yes and 4 no, (Kvaalen excused),

Rep. Hand moved that House Bill 59 DO PASS. Rep. Lund moved to amend the bill by striking the last sentence on page 2 and insert "Compensation shall be set by the legislative council." The motion to amend passed unanimously. Rep. Barrett then moved to amend the title, line 5, and page 2, line 1 by striking "shall" and inserting "may." He said he does not see the change in the title as a substantive change in the bill. Others disagreed. After some discussion, Rep. Gunderson made a substitute motion that House Bill 59 DO NOT PASS. Rep. Lund made a substitute motion to pass the bill for the day. Rep. Lund's motion passed on a voice vote. It was decided that Ms. Weber and Rep. Marks would be requested to appear to answer questions on this bill.

Rep. Gunderson moved that House Bill 66 DO PASS. Committee members questioned the constitutionality of the Board being able to appoint an advisory council. The Vocational Education Advisory Council is appointed to comply with federal laws. In answer to a question,

Dr. Larry Key said that this is an increase of approximately 400% in their budget over last year's appropriation. The motion passed 14 yes, 1 no.

Rep. Marks and Ms. Weber appeared before the committee and answered questions relative to House Bill 59. Rep. Lory moved to reconsider the bill. The motion passed unanimously. After long discussion, the witnesses were excused. Rep. Hand moved that House Bill 59 DO PASS AS AMENDED. He was reminded that the amendments were automatically stricken by the previous motion to pass the bill for the day. Rep. Lund made a substitute motion that House Bill 59 be referred to a subcommittee for further study and amendment. The substitute motion was passed unanimously and the Chairperson appointed Reps. Estenson, Barrett and Hand to work on the bill, assisted by Terry Cohea. The subcommittee was directed to report Monday, January 17.

Rep. Kessler moved that House Bill 69 DO PASS. Rep. Gudnerson distributed informational material about the bill (attached). There was some discussion about the effect of Senate Bill 62, which would take powers away from the Superintendent of Public Instruction and assign them to the Board of Public Education. Dr. Key explained the organization chart (attached) and said there would be approximately a 2.9% increase in cost by addition of an executive officer and an industrial arts consultant. Don Garrity explained that the Supreme Court decision said that administrative duties cannot be assigned to the State Board of Education. Only the Board of Regents and the Board of Public Education (which make up the State Board of Education) can handle the administration of education.

Rep. Barrett made a substitute motion that House Bill 69 DO NOT PASS. The substitute motion passed 8 yes, 7 no.

There being no further business, the meeting adjourned at 5:45 p.m.

	<u>HB 56, DNP</u>	<u>HB 66, DP</u>	<u>HB 69, DNP</u>
Dussault	Yes	Yes	No
Gilligan	Yes	Yes	No
Courtney	Yes	Yes	Yes
Estenson	Yes	No	No
Gunderson	Yes	Yes	No
Hand	Yes	Yes	Yes
Kennerly	No	Yes	No
Kessler	No	Yes	No
Uhde	Yes	Yes	Yes
Barrett	No	Yes	Yes
Eudaily	Yes	Yes	Yes
Kvaalen	----	Yes	Yes
Lory	Yes	Yes	No
Lund	No	Yes	Yes
Meyer	Yes	Yes	Yes
	10 Yes	14 Yes	8 Yes
	4 No	1 No	7 No

1/17/1977
 Noes: Bengtson, Colburn, Conroy, Dassinger, Day, Ellerd, Ellis, Fagg, Frates, Gerke, Gould, Holmes, Huennekens, Johnston, Kennerly, Kessler, Kimble, Lien, McLane, Manuel, Nathe, Porter, Ramirez, Robbins, Seifert, Smith, South, Turner, Underdal, Waldron, Williams, Wood, Wyrick.
 Total 33

Excused: Halvorson, Mular.
 Total 2

Absent or not voting: Hirsch, Palmer, Teague.
 Total 3

MESSAGES FROM THE OTHER HOUSE

Bills passed by the Senate and transmitted to the House for concurrence:
 1/15/77

Senate Bill No. 13, introduced by Blaylock

Senate Bill No. 14, introduced by Graham

Senate Bill No. 19, introduced by Graham

MOTIONS

Meloy moved that SJR 1 be placed at the top of the Second Reading board today. Motion carried.

Meloy moved that HB 66 be taken from Second Reading and rereferred to the Committee on Education. Motion carried.

Meloy moved that consideration of HB 28 and HB 29 be postponed until Wednesday, January 19, 1977, and that they be placed at the top of the Second Reading board that day.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time and referred to committees:

HB 195, introduced by Lynch, Menahan, Meloy, Scully, Mular, Hand, Kimble, Gilligan, Seifert, Keyser, Ellis. Referred to Committee on Local Government.

HB 196, introduced by Fagg. Referred to Committee on Business and Industry.

HB 197, introduced by Quilici, Lynch, Harrington, (By Request of Department of State Lands). Referred to Committee on Natural Resources.

HB 198, introduced by Quilici, Lynch, Harrington, Mular, Brand, Cooney, Courtney, Menahan. Referred to Committee on Taxation.

HB 199, introduced by Metcalf, Holmes, (By Request of the Board of Crime Control). Referred to Committee on Education.

HB 200, introduced by Fagg, Ramirez. Referred to Committee on Business and Industry.

HB 201, introduced by Scully, (By Request). Referred to Committee on Judiciary.

HB 202, introduced by Scully, Ramirez. Referred to Committee on Judiciary.

HB 203, introduced by Shelden, (Requested by the Department of Natural Resources and Conservation). Referred to Committee on State Administration.

HB 204, introduced by Meloy, Bradley, Huennekens, Shelden, Palmer,

EDUCATION COMMITTEE

January 19, 1977

The meeting was called to order at 4:25 p.m., with all members present.

House Bill 154 was discussed. Rep. Keyser, chief sponsor, explained that the bill will keep small district school boards from being in violation of the law when they cannot hold a meeting to approve the minutes within a month as required by law. There are around 405 smaller districts and it is difficult for some of them to hold a meeting within 30 days.

Proponents who testified were Wayne Buchanan and Chadwick Smith. Opponents were Senator Chet Blaylock and Maurice Hickey. Their testimony is attached. Rep. Keyser closed by saying if people are interested they can attend any school board meeting. He is in favor of a suggested change to page 1, line 5 and page 2, line 13, to strike the word "regular."

Senate Bill 3 was discussed next. Senator Blaylock, chief sponsor, deferred to Dave Cogley from the Legislative Council as the drafter of the bill. It is a recodification bill that deals with libraries, arts and antiquities and attempts to put them all in one particular section of the law.

The Chairperson announced a joint meeting in the Senate Chambers regarding special education. It will be on January 22 at 2:30 p.m. A copy of the notice is attached. She also said the file cabinets in the committee room are leased at \$66 apiece and if members do not use them, they will be removed.

The Committee went into Executive Session to consider several bills.

Rep. Kessler moved that House Bill 69 DO PASS. Rep. Gunderson distributed a letter to the committee. Harriett Meloy was present to answer questions. After some discussion, the motion was voted on and passed 8-7.

The Chairperson said that House Bill 66 had been referred back to the Committee because it refers to the Board of Public Education as the governance authority of the Fire Training School and unless House Bill 69 passes there will be problems. There are also several amendments proposed to clarify some language in the bill. The Committee will discuss the bill again on Friday.

House Bill 130 was considered. Rep. Courtney moved to amend page 1, line 15, by striking "-- library systems" and the motion passed unanimously. Rep. Gunderson then moved that House Bill 130 DO NOT PASS AS AMENDED. The motion passed 12 to 3.

Rep. Kessler asked that the Committee postpone action on House Bill 119 until another bill similar to it is introduced. Rae Haas was asked to do some research on the bill. Rep. Kessler then moved to table House Bill 119. The motion passed unanimously.

EDUCATION COMMITTEE

January 21, 1977

The meeting was called to order at 4 p.m., with all members present except Rep. Kennerly, who was absent.

House Bill 199 was discussed. Rep. Metcalf, chief sponsor, explained that the bill is an outgrowth of a recommendation made by the Montana Justice Project; which said that the State should consider action to develop schools as community centers and to develop leadership in those centers. They felt most schools were not being utilized to the fullest. This bill clarifies the authority of school trustees to let buildings be used if such use will not interfere with school use. It is a multiple use concept, and also allows fees for using the school to cover janitorial services, etc.

Proponents were: Gerald Dunbar, Charles O'Reilly and Rep. Holmes. Opponents were: Wayne Buchanan, Richard Baker, John Campbell, Jim Watkins and Chad Smith. Their testimony is attached.

Rep. Metcalf said he will have Gladys Elison submit written testimony on this bill as she was not able to be present today. The Chairperson said the committee will hold action on the bill.

The Committee then went into executive session.

The Chairperson appointed subcommittees on the following bills:

House Bill 69 - Reps. Barrett, Kessler and Gilligan. They are to look at proposed amendments, find other statutes that might be affected by the bill and report to the whole Committee on Wednesday.

House Bill 66 - Reps. Courtney, Meyer and Eudaily. Rep. South has amendments and so do the firemen. They are clean-up and clarification amendments. The subcommittee will report Monday or Wednesday.

House Bill 119 will be held until Monday.

There was more discussion on the ramifications of House Bill 69.

Rae Haas then explained her analysis of the foundation program schedules of the Office of Budget and Program Planning, the Legislative Fiscal Analyst, the Superintendent of Public Instruction, and the Montana Education Association. Her analysis is attached.

There being no further business, the meeting was adjourned at 5:15 p.m.

ANN MARY DUSSAULT, Chairperson

EDUCATION COMMITTEE

January 26, 1977

The meeting was called to order at 3:35 p.m., with all members present.

House Bill 315 was discussed. Rep. Dassinger, chief sponsor, said that the bill would allow for release time for religious instruction up to 2 hours a week. It prohibits use of public school property or money. John Frankino and Jan Brown submitted prepared statements in support of the bill (attached). There were no opponents. In closing, Rep. Dassinger said schools would use no class time for this. Mr. Frankino said release time programs have been successful and unsuccessful, but recently are starting to work better.

The Committee then went into executive session.

The subcommittee reported on House Bill 66. The attached amendments were discussed. Rep. Courtney moved adoption of the amendments with alternative (1). There was discussion on how the money is appropriated and from which fund would be best. In answer to a question, Mr. Maclin said the school was not attached to the Department of Justice because it is an educational, not a law enforcement agency. Ray Haas said that if in the future the service becomes large enough to have a great amount of revenue the law could be changed to establish a revolving fund, for fee recovery. The motion to adopt the amendments passed unanimously. Rep. Meyer then moved that House Bill 66 DO PASS AS AMENDED. The motion passed-14-1.

House Bill 69 was discussed. Rep. Barrett reported that the subcommittee has not had time to check the last part of Rep. Fabrega's amendment which puts center directors under the executive officer, and the question on allocation of funding. Rep. Hand moved to wait until Friday and discuss all amendments. The motion passed.

The Chairperson read the attached letter from Gladys Elison about House Bill 199. Rep. Lory moved to change "require" to "allow" on line 4, and "shall" to "may" on line 11. The motion passed 11-4. Rep. Lory then moved House Bill 199 DO PASS AS AMENDED. Rep. Kvaalen made a substitute motion that it DO NOT PASS AS AMENDED. Rep. Lory withdrew his motion. The substitute motion passed 11-4. Rep. Gilligan moved to reconsider action on House Bill 199. The motion to reconsider passed 8-7. He then moved to amend the bill to reinsert the original language. Rep. Hand made a substitute motion that the bill DO NOT PASS, but withdrew the motion. Rep. Gilligan's motion was voted on and failed 7-8. Rep. Lory then moved that House Bill 199 DO NOT PASS AS AMENDED (~~shall~~ *allow* and may) and the motion passed 12-3.

Rep. Lory moved that HJR 16 DO NOT PASS. Rep. Estenson spoke in favor of the motion, saying this function should be in the Governor's Office under Judith Carlson. The Chairperson suggested tabling this resolution and drafting a committee resolution to that effect. Rep. Lory withdrew his motion and moved to table the bill. The motion passed unanimously. Rep. Estenson moved that the Chairperson draft a committee resolution.

EDUCATION COMMITTEE VOTING RECORD

January 26, 1977

	<u>HB 66</u> <u>Do Pass</u> <u>as</u> <u>Amended</u>	<u>HB 199</u> <u>Lory's</u> <u>Amend-</u> <u>ments</u>	<u>HB 199</u> <u>Do not</u> <u>Pass as</u> <u>Amended</u>	<u>HB 199</u> <u>Reconsi-</u> <u>der</u> <u>Action</u>	<u>HB 199</u> <u>Do Pass</u> <u>as</u> <u>Amended</u>	<u>HB 199</u> <u>Do not</u> <u>Pass as</u> <u>Amended</u>
Dussault	Yes	No	No	Yes	Yes	No
Gilligan	Yes	No	Yes	Yes	Yes	Yes
Courtney	Yes	No	No	Yes	Yes	No
Estenson	Yes	Yes	Yes	Yes	Yes	Yes
Gunderson	Yes	Yes	No	Yes	Yes	Yes
Hand	Yes	Yes	Yes	No	No	Yes
Kennerly	Yes	Yes	Yes	Yes	No	Yes
Kessler	Yes	Yes	No	Yes	Yes	No
Uhde	Yes	No	Yes	Yes	Yes	Yes
Barrett	Yes	Yes	Yes	No	No	Yes
Eudaily	Yes	Yes	Yes	No	No	Yes
Kvaalen	No	Yes	Yes	No	No	Yes
Lory	Yes	Yes	Yes	No	No	Yes
Lund	Yes	Yes	Yes	No	No	Yes
Meyer	Yes	Yes	Yes	No	No	Yes
	14 Yes 1 No	11 Yes 4 No	11 yes 4 No	8 Yes 7 No	7 Yes 8 No	12 Yes 3 No

1/27/1977

That HB 256 do pass. (79-16)

That HB 258 do pass. (93-1)

That HB 275 do pass. (91-0)

That SB 8 be concurred in. (93-0)

That SB 14 be concurred in. (96-0)

That SB 19 be concurred in. (94-0)

That the Conference Committee Report on SJR 1 be adopted. (86-10)

That the committee rise and report. (Halvorson, Chairman) Report adopted.

REPORTS OF STANDING COMMITTEES

EDUCATION (Dussault, Chairman):

1/27/77

HB 66, introduced bill, be amended as follows:

1. Amend page 1, section 1, lines 13 and 14.

Following: "school"

Strike: "shall be included with the budget request of"

Insert: "submitted through"

2. Amend page 1, section 1, line 15.

Before: "of"

Strike: "governance, management, and control"

Insert: "general supervision"

3. Amend page 1, section 2, subsection (3), line 24.

Strike: "at minimum cost"

4. Amend page 4, after section 8, line 25.

Insert: new section 9 to read as follows:

"Section 9. The board of public education may establish a cost recovery fee for training of commercially employed firefighters and such fees shall be deposited to the general fund."

Renumber: subsequent section.

And as amended, do pass. Report adopted.

HB 199, introduced bill, be amended as follows:

1. Amend title, page 1, line 4.

Following: "to"

Strike: "require"

Insert: "allow"

2. Amend page 1, section 1, line 11.

Following: "district"

Strike: "shall"

Insert: "may"

And as amended, do not pass.

HB 315, do pass. Report adopted.

LOCAL GOVERNMENT (Robbins, Chairman):

1/27/77

HB 209, do not pass.

HIGHWAYS AND TRANSPORTATION (W. Baeth, Chairman):

1/25/77

HB 82, introduced bill, be amended as follows:

Affairs). Referred to Committee on Public Health, Welfare and Safety.

HB 630, introduced by Fagg, Vincent, Sivertsen, Waldron, Moore, Mular, Palmer, Cooney, Feda, Menahan, Kanduch, Frates, Shelden, Brand, Lory, Lynch, Courtney, Kennerly, Robbins, Pistoria, Fabrega, Uhde, Harrington, Huennekens, Gilligan, O'Keefe, Hirsch, Metcalf, Holmes, Kessler, Teague, J. Gunderson, Lund, Estenson, E. Gunderson, Johnston, R. Baeth, Harper, W. Baeth, Ellis, Porter, Marks, Kimble, Quilici, Dussault, Hansen, Bradley, Scully, Lien, Nathe. Referred to Committee on Taxation.

HB 631, introduced by Driscoll, Meloy. Referred to Committee on Natural Resources.

HB 632, introduced by W. Baeth, Shelden. Referred to Committee on Highways and Transportation.

HJR 48, introduced by Nathe, Lund, Feda, Vinger, Fabrega, Underdal, Halvorson, Kimble, Kennerly, Hirsch, Johnston, Fagg, O'Keefe. Referred to Committee on Natural Resources.

The following Senate bills were introduced, read first time and referred to committees:

SB 51, introduced by Story, Galt, Dover. Referred to Committee on State Administration.

SB 103, introduced by Lockrem, Hager, Dunkle, Manning, Graham, (By Request of the Department of Highways). Referred to Committee on Highways and Transportation.

SB 112, introduced by Mathers, Manning, (By Request of the Department of Highways). Referred to Committee on Taxation.

SB 114, introduced by Dover, E. Smith, Kolstad. Referred to Committee on Agriculture, Livestock and Irrigation.

SB 128, introduced by Brown, Roberts, (By Request of the Department of Natural Resources and Conservation). Referred to Committee on Natural Resources.

SB 133, introduced by Bergren, (By Request of the Department of Highways). Referred to Committee on Highways and Transportation.

SB 134, introduced by R. Smith, Goodover, Bergren, Murphy, Healy, Peterson, Flynn, Mehrens, Aber, Graham. Referred to Committee on Highways and Transportation.

SB 135, introduced by Roberts, (By Request of the Department of Natural Resources and Conservation). Referred to Committee on Agriculture, Livestock and Irrigation.

SJR 8, introduced by Murray, Devine, Goodover, Galt, Hager, Dunkle, Turnage, Roskie, Flynn, Watt, Boylan. Referred to Committee on Public Health, Welfare and Safety.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Lynch in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 66 be amended as follows:

1. Amend page 1, section 1, line 14.

Following: "school"
Insert: "shall be" (87-0)

Stobie present at this time.

And as amended, do pass. (69-25)

That HB 89 do pass. (89-1)

That HB 117 do pass. (52-38)

That HB 186 do pass. (92-0)

That HB 194 do not pass. (53-42)

That HB 239 do pass. (87-2)

That HB 240 do pass. (85-1)

That HB 241 do pass. (87-0)

That the committee rise and report. (Lynch, Chairman)

Moore moved that HB 117 be segregated from the Committee of the Whole report. Motion carried.

Teague moved that HB 194 be segregated from the Committee of the Whole report and as amended be adopted. Motion failed. Thereupon report adopted as amended.

REPORTS OF STANDING COMMITTEES

NATURAL RESOURCES (Shelden, Chairman): 1/31/77
HB 204, do pass. Report adopted.
HB 329, do not pass.

LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL (Quilici, Chairman): 1/31/77

Recommend that the following employees be reclassified retroactive to:

January 3, 1977 — Diane Burgess — from Typist to Stenographer

January 15, 1977 — Wallace Orton — from Grade 5, Step 1 to Grade 5, Step 3

January 17, 1977 — Nina Kosmas — from Stenographer to Committee Secretary

January 18, 1977 — Mary Conway — from Clerk-Typist to Steno/Status Clerk

January 24, 1977 — Jane Shoquist — from Grade 6, Step 1 to Grade 6, Step 5

At the beginning of business January 7, 1977 the following be terminated:

Tolly Bishop.....House Press Aide

Recommend that the following be employed by the House of Representatives for the 45th Session at the beginning of business January 31, 1977:

Janet Simmins.....Page
Julie Carter.....Page
Lori Strange.....Page
Cynthia Chase.....Page
Helen Engebretsen.....Page

2/3/1977

Kenny, Johnston, Jensen, McLane, Eudaily, Ellis, Hurwitz, Lien, Lynch, Barrett, Hansen, Menahan, Porter, Moore, Underdal, Kropp, Pistoria, Vinger, Cox, Ageson, Smith, Feda, Quilici, Fabrega, Sivertsen, Severson, Ernst, Wyrick, Williams, R. Baeth, Stobie, Mular, Ryan, Roth, Keyser, Seifert. Referred to Committee on Judiciary.

HB 673, introduced by Colburn, (By Request). Referred to Committee on Judiciary.

HB 674, introduced by Frates, Palmer, E. Gunderson, Vincent, Huennekens, Kessler. Referred to Public Health Subcommittee on Problems of the Elderly.

HB 675, introduced by Ellison, Burnett, Wyrick, Cox. Referred to Committee on Local Government.

HB 676, introduced by Palmer, Brand, Hansen, Quilici, Cooney, Metcalf, Kimble, Ellis, Harrington, Waldron, Courtney. Referred to Committee on Public Health, Welfare and Safety.

HJR 50, introduced by Bengtson. Referred to Committee on Business and Industry.

HJR 51, introduced by Frates, Huennekens, O'Connell, Kessler. Referred to Committee on Labor and Employment Relations.

HJR 52, introduced by Frates, Huennekens, O'Connell, Kessler. Referred to Committee on Labor and Employment Relations.

The following Senate bills were introduced, read first time and referred to committees:

SB 4, introduced by Hazelbaker. Referred to Committee on Business and Industry.

SB 91, introduced by Lockrem, Lowe, Turnage, Thiessen, Himsl. Referred to Committee on Local Government.

SB 107, introduced by Regan, Turnage. Referred to Committee on Business and Industry.

SB 111, introduced by Mathers, Turnage. Referred to Committee on Natural Resources.

SB 132, introduced by McOmber, Hazelbaker, Etchart. Referred to Judiciary Subcommittee on Montana Water.

SB 140, introduced by Committee on Labor and Employment Relations; Lee, Chairman, (By Request of the Division of Workers' Compensation). Referred to Committee on Labor and Employment Relations.

SB 148, introduced by Warden, Roberts, Dunkle, Boylan, Galt, Dover, Brown, Rasmussen, (By Request of the Department of Fish and Game). Referred to Committee on Fish and Game.

SB 165, introduced by Galt, Dover, (By Request of the Department of Agriculture). Referred to Committee on Agriculture, Livestock and Irrigation.

SB 194, introduced by Jergeson, Galt, (By Request of the Department of Agriculture). Referred to Committee on Agriculture, Livestock and Irrigation.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 66 was passed by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Dassinger, Davis, Day, Dussault, Ellerd, Ernst, Estenson, Eudaily, Fabrega, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen,

Kanduch, Kennerly, Kenny, Kessler, Keyser, Lien, Lory, Lynch, Marks, Meloy, Menahan, Metcalf, Meyer, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Quilici, Robbins, Ryan, Scully, Sivertsen, South, Staigmillier, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Mr. Speaker.

Total 72

Noes: Burnett, Curtiss, Ellison, Fagg, Feda, Hurwitz, Johnston, Kropp, Kvaalen, McLane, Moore, Porter, Ramirez, Roth, Seifert, Severson, Smith, Vinger, Wyrick.

Total 19

Excused: Ellis, Gerke, Hansen, Lund, Shelden.

Total 5

Absent or not voting: Kimble, Manuel, Mular, Stobie.

Total 4

House Bill No. 79 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Brand, Burnett, Colburn, Conroy, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gilligan, Gould, Halvorson, Hand, Harrington, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Keyser, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Menahan, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sivertsen, Smith, Staigmillier, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick.

Total 73

Noes: Bradley, Cooney, Courtney, Dussault, Estenson, Frates, E. Gunderson, J. Gunderson, Harper, Hirsch, Holmes, Huennekens, Kennerly, Kessler, Meloy, Metcalf, South, Stobie, Mr. Speaker.

Total 19

Excused: Ellis, Gerke, Hansen, Lund, Shelden.

Total 5

Absent or not voting: Bardanouve, Kimble, Mular.

Total 3

House Bill No. 89 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Sivertsen, Smith, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Ellis, Gerke, Hansen, Lund, Shelden.

Total 5

HOUSE BILL NO. 66

INTRODUCED BY ROBBINS, BERTELSEN

SIVERTSEN, O'CONNELL, GILLIGAN, PISTORIA, KIMBLE

A BILL FOR AN ACT ENTITLED: "AN ACT CREATING A FIRE
SERVICES TRAINING SCHOOL."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Fire services training school -- creation
-- allocation to the board of public education. There is a
fire services training school. The fire services training
school is allocated to the board of public education for
purposes of planning and coordination. The budget request
for the fire services training school ~~shall--be~~ SHALL BE
~~included--with--the--budget--request--of~~ SUBMITTED THROUGH the
board of public education. The ~~governance--management--and~~
~~control~~ GENERAL SUPERVISION of the school is vested in the
board of public education.

Section 2. Purpose of fire services training school.
The purpose of the fire services training school is to:

- (1) reduce the loss of life and personal injury caused
by fire;
- (2) reduce property damage and loss caused by fire;
- (3) provide paid, volunteer, and other publicly or
privately employed firefighters with professional training

~~at-minimum-cost;~~

(4) provide training in investigating the cause of
fire;

(5) develop new methods of fire prevention and
firefighting;

(6) provide expertise for testing firefighting methods
and firefighting equipment;

(7) provide public educational programs to promote
fire prevention.

Section 3. Fire services training advisory council.

(1) The board of public education shall appoint a fire
services training advisory council to work with the director
of the fire services training school. The membership of the
council shall include the following:

- (a) a fire chief;
- (b) a volunteer firefighter;
- (c) a paid firefighter;
- (d) a fire service instructor;
- (e) a person involved in fire prevention;
- (f) an engineering representative of the insurance
services office;
- (g) a representative of the fire protection
engineering industry;
- (h) a fire control officer recommended by the
administrator of the division of forestry.

(2) The board shall solicit and consider the recommendations of appropriate organizations and associations of fire service personnel in making appointments under subsection (1) of this section.

(3) Members appointed shall serve for a 4-year term. If a vacancy occurs, a member shall be appointed to fill the unexpired term. A member may be reappointed.

(4) The state fire marshal and director of the fire services training school are ex officio members of the council.

Section 4. Organization of fire services training advisory council -- procedures -- compensation of members.

(1) The members of the fire services advisory council shall elect a chairman, a vice-chairman, and such other officers considered advisable by the council. The terms of the officers shall be established by the council.

(2) The council shall adopt rules governing its procedures subject to approval of the board of public education.

(3) Members of the council shall receive compensation under 59-538, 59-539, and 59-801.

Section 5. Duties of the fire services training advisory council. The fire services training advisory council shall advise the board and director of the fire services training school on planning, coordination,

governance, management, and control of the fire services training school to promote the purposes of the school.

Section 6. Appointment of director of the fire services training school. (1) The board of public education shall appoint the director of the fire services training school. The director is responsible to the board for carrying out the provisions of this act.

(2) The director may be removed for cause.

(3) The director must have the following qualifications:

(a) a bachelor's degree in a field of study related to fire protection; or

(b) 5 years' experience in an organized training program as an instructor and 7 years' experience as a firefighter or fire combat officer.

Section 7. Duties of fire services training school director. The director shall appoint a staff and execute policies and programs established by the board of public education for the fire services training school. The director is responsible for the direction of staff and operation of the school.

Section 8. Acceptance of gifts, donations, and grants authorized. The board of public education may accept gifts, donations, and grants of property and services on behalf of the fire services training school. The board may enter into

1 contractual agreements necessary to facilitate achievement
2 of the purposes of the school.

3 ~~SECTION 9. THE BOARD OF PUBLIC EDUCATION MAY ESTABLISH~~
4 ~~A COST RECOVERY FEE FOR TRAINING OF COMMERCIALY EMPLOYED~~
5 ~~FIREFIGHTERS AND SUCH FEES SHALL BE DEPOSITED TO THE GENERAL~~
6 ~~FUND.~~

7 Section 10. Coordination with other agencies. The fire
8 services training school shall coordinate its programs and
9 cooperate with state and local fire services to the maximum
10 possible extent in accordance with the policy of the board
11 of public education.

-End-

022

MINUTES OF THE MEETING
EDUCATION COMMITTEE
MONTANA STATE SENATE

February 22, 1977

The nineteenth meeting of the Senate Education Committee was called to order by Senator Chet Blaylock, Chairman, on the above date, in Room 402 of the State Capitol Building at 11:00 o'clock A. M.

ROLL CALL: All members of the Committee were present.

CONSIDERATION OF HOUSE BILL No. 66: An act creating a fire services training school.

Representative Bertelsen, House District 27, as co-sponsor of the Bill, in absence of Rep. Robbins, was called on to present his testimony. He stated an Interim Committee investigating fire problems throughout the State found the Great Falls school established about 20 years ago and thereafter put into the Vocational Technical School was having trouble. This Bill would separate the fire school from under the State Superintendent and put it under the Board of Public Education and allow for its own advisory board. In 1975, they trained about 2,300 fire fighters who went through 30 to 40 hours of intensive training, but because of the large area included, they were not fulfilling their responsibilities. He further stated insurance organizations supported this, in addition to the various agencies throughout the State involved in fire fighting.

Proponents of the Bill included:

James Macklin, Fire Services Training, Great Falls, who explained the problem of trying to operate under the present Vocational Technical Center when there was a conflict of interests between the local resident students and those who have different priorities because of coming from all over the State.

Dave Fisher, representing the Montana Volunteer Firemen's Assoc. and Fire Chief's Association, State Director of Firemen's Training, stated that they had been trying for 6 years to get satisfactory legislation passed for a fire training school; that this was the best Bill so far and hoped it would be successful.

Thomas Selleck, Helena, Montana, State Fire Marshall supported House Bill No. 66.

Art Korn, Butte, Montana, representing the Montana State Volunteer Firemen's Association, told the Committee there were about 6,000

volunteers needing training and hoped for a do pass on this Bill.

Glen Drake, Helena, Montana, representing the League of Cities and Towns and the American Insurance and Bonding Associations, stated his support of the Bill.

Les Nilson, Great Falls, Mont., Montana State Firemen's Association, stated that training is very important and continues throughout a firefighter's career; that they must have some additional training every year and this legislation would facilitate meeting these requirements.

No witnesses appeared in opposition to the Bill.

The Chair then called for questions by the Committee, and the Bill's accompanying Fiscal Note was discussed, with Senator Fasbender explaining that there were on-going costs included in the Note, along with the additional funds necessary to expand the program; so, part of the \$810,000 is for the continuing cost of operating the fire training school as it now exists and is a little misleading as to the actual expense of implementing this Bill.

To questions raised by the Committee regarding charging for the fire training school, Mr. Macklin explained there was only one commercial fire fighting organization in the State at present and that was in Billings which would send people to be trained at the school and for which they could charge for the training; but due to businesses like the coal fields opening up, there may be an increase in these private organizations.

Senator Smith questioned Mr. Macklin regarding the fire trucks used at the fire training school, and was told they were equipped with all the necessary hand tools and equipment and breathing apparatus so the men could become familiar with such equipment; and that the school trains fighters on their own district's trucks.

In closing, Representative Bertelsen said that he hoped the Committee would look beyond the change in departments and think of this matter in the light of saving lives with better-trained personnel.

Mr. Macklin was asked by Senator Warden if insurance rates would be lowered because of this type of legislation; he replied that probably not directly, but when the fire bureau graded the city and gave a more favorable rating, then insurance rates might be reduced.

Senator Fasbender questioned why this legislation was necessary as the fire school was presently under the Board of Public Education through the Vocational Technical designation. Dr. Larry Key,

from the Board of Public Education, replied he thought the problem arose with the handling of funds as they went to the State Superintendent's office for disbursement rather than to the Board.

The Chair closed the hearing on House Bill No. 66.

DISPOSITION OF SENATE BILL No. 271: Senator Blaylock suggested amending the Bill to show an increase of 12% and 12% which would leave some room for bargaining; considerable discussion followed relating to what amount of increase in the school foundation program would receive the most favorable response. Senator Fasbender handed out schedules showing the funding levels of public schools and explained the figures; it was mentioned the new State appraisals would make a difference in the amount of money raised and that something should be done with the Bill as it had to go into Finance & Claims Committee for appropriation.

Senator Boylan moved that the Bill be amended to show a 10% increase in the schedule for each year of the biennium, the actual figure amendments being as shown on the Standing Committee Report attached; this motion was seconded and carried by unanimous vote as a DO PASS AS AMENDED.

FURTHER CONSIDERATION OF HOUSE BILL No. 69: Senator Mathers suggested a Senate resolution asking for a thorough study of the vocational education program during the next two years so that testimony from the various interest groups could be compiled and have some input directly from the vocational education centers and high schools, so the Committee would have the basic facts on which to base their decision. Mr. Wm. Ball, Director of the Montana Advisory Council for Vocational Education, stated his agency had been studying the program for about 5 years and that the Committee had been supplied with a copy of the report was is entitled "Montana Advisory Council 7th Annual Evaluation Report, December 1976, for Vocational Education", along with a copy of their "Governance of Montana's Vocational Education, April, 1976".

Further discussion touched on funding of vocational education programs and how the proposed change in structure might affect federal funding, the pros and cons of a study committee and how the proposed change of governance would affect the employment of present personnel.

The Chairman asked if the Committee wished to take action at this time on House Bill 69, which was declined.

ADJOURNMENT:

ROLL CALL

COMMITTEE

45th LEGISLATIVE SESSION - - 1977

Date *Feb. 22,*
1977

NAME	PRESENT	ABSENT	EXCUSED
Senator Chet Blaylock, Chairman	✓		
Senator Ed Smith, Vice Chairman	✓		
Senator George McCallum	✓		
Senator Bill Mathers	✓		
Senator William E. Murray	✓		
Senator Frank Dunkle	✓		
Senator Paul Boylan	✓		
Senator Larry Fasbender	✓		
Senator Bill Thomas	✓		
Senator Margaret Warden	✓		

NAME: William B. Tolson DATE: 1 22 77

ADDRESS: Washington, D.C.

PHONE: _____

REPRESENTING WHOM? _____

APPEARING ON WHICH PROPOSAL: H. R. 65

DO YOU: SUPPORT? ☒ AMEND? _____ OPPOSE? _____

COMMENTS: Support

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Al Duke DATE: 2/12

ADDRESS: Kileen

PHONE: 442-0230

REPRESENTING WHOM? League of Women Voters

APPEARING ON WHICH PROPOSAL: HB 66

DO YOU: SUPPORT? ☒ AMEND? ☐ OPPOSE? ☐

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: AMES MACKLIN DATE: 2-22-77

ADDRESS: 2100 - 16th AVE S O GT. Falls

PHONE: 781-2127

REPRESENTING WHOM? Fire Service

APPEARING ON WHICH PROPOSAL: HR 66

DO YOU: SUPPORT? ☒ AMEND? ☐ OPPOSE? ☐

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME:

DATE: 5/1/78

ADDRESS :

PHONE: :

REPRESENTING WHOM?

APPEARING ON WHICH PROPOSAL:

DO YOU:

SUPPORT?

AMEND?

OPPOSE?

COMMENTS :

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Thomas Selleck DATE: 2-22-77

ADDRESS: 1616 Cannon Helena, MT.

PHONE: 443-6007

REPRESENTING WHOM? STATE FIRE MARSHAL

APPEARING ON WHICH PROPOSAL: H 13-66

DO YOU: SUPPORT? ☒ AMEND? ☐ OPPOSE? ☐

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Sax Fisher DATE: 2/22/72

ADDRESS: 1928 S. Washington St. Butte, Montana

PHONE: 792-8858

REPRESENTING WHOM? Montana Fire Chiefs Ass
Montana Vol Firemen Ass.

APPEARING ON WHICH PROPOSAL: H.B. 66

DO YOU: SUPPORT? ☒ AMEND? ☐ OPPOSE? ☐

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Les Nilson

DATE: 2-22-77

ADDRESS: 2009 - Billings Ave, Helena

PHONE: 443. 4344

REPRESENTING WHOM? Int St Firemans Assn

APPEARING ON WHICH PROPOSAL: H B 66

DO YOU: SUPPORT? ☒ AMEND? ☐ OPPOSE? ☐

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

DATE February 22, 1977

COMMITTEE ON EDUCATION

BILL NO. HOUSE #66

VISITOR'S REGISTER

NAME	REPRESENTING	Check One	
		Support	Oppose
James Macklin	Fire Service Training	☒	☐
Thomas S. Bertelsen	Sponsor Rep.	☒	☐
Art Korman	MONT STATE VOL FIREMEN'S ASSOC	☒	☐
Thomas Selbeck	Chief Deputy STATE FIRE MARSHAL	☒	☐
Raye Fisher	Montana Fire Chiefs Assn	☒	☐
Lee Wilson	Mt St. Firemen's Assn	☒	☐
Don Drake	League of Cities & Towns	☒	☐
William Gace	Academy	☐	☐
Jimmy C. Long	Board of Public Ed.	☐	☐
Jim Sargent	MSBA	☐	☐
W. Delaney	Bd. Pub Ed.	☒	☐
Tom Sewell	self	☐	☐
Don Sewell	"	☐	☐

MINUTES OF THE MEETING
EDUCATION COMMITTEE
MONTANA STATE SENATE

March 8, 1977

The twenty-third meeting of the Senate Education Committee was called to order by Senator Chet Blaylock, Chairman, on the above date, in Room 402 of the State Capitol Building at 11:00 o'clock A.M.

ROLL CALL: All members of the Committee were present, with the exception of Senator Larry Fasbender who was excused.

CONSIDERATION OF HOUSE BILL No. 305: An act to establish a state policy for adult basic education, allowing a state fund administered by the Superintendent of Public Instruction for its support.

Representative Kessler, Billings, Mont., House District 66, sponsor of the Bill, was called on to present his testimony. He stated this was enabling legislation to fund the adult basic education in the State which has been partly funded by the 1 mil permissive local levy, and, in addition, by grants and with matching federal funds; but this is not to be confused with continuing education or community education. This is necessary because people who have not finished high school are provided the opportunity for learning the essential basics of education to get them enough knowledge so they can get jobs. He felt it the best investment the State could subsidize.

Proponents of the Bill included:

Bill Cunneen, OSPI, testified that presently, there was no State appropriation for this adult basic education; it is funded from local sources and with matching federal money. He passed out file folders on the subject matter, and explained the information contained in the packet, mentioning that there were approximately 171,119 adults over the age of 18 with less than a high school education, about the same number as students currently enrolled in elementary and secondary schools in Montana.

James Watkins, Libby School Dist. #4 Superintendent, stated Libby had successfully operated the program since 1970, graduating 40 - 50 students and felt it was a very worthwhile program which merited continuing.

Maurice Hickey, MEA, stated they supported the Bill since its introduction in the House for the reason that the more of these people who can be put on the gainfully employed rolls, the less we have to support them on the welfare rolls.

DISPOSITION OF HOUSE BILL No. 66: Relating to a fire services training school; discussion was carried on as to expansion of the program, related cost and its being put under the direction of the Vo Tech Center.

Senator Larry Fasbender moved that House Bill 66 BE CONCURRED IN; motion was seconded and carried by unanimous vote. Senator Fasbender will carry the Bill on the floor.

FURTHER CONSIDERATION OF HOUSE BILL No. 239: Discussion of the amendments proposed by the two separate factions resulted in the Chairman requesting Chad Smith, Pat McKittrick and Fred Barrett get together with the staff attorney, work the amendments through and then present them to the Committee for consideration.

DISPOSITION OF HOUSE BILL No. 409: Senator Bill Mathers moved that House Bill 409 BE CONCURRED IN; motion was seconded; carried unanimously. Senator Murray will carry the Bill on the floor.

DISPOSITION OF HOUSE BILL No. 315: Senator Murray moved that House Bill 315 BE NOT CONCURRED IN; motion was seconded and by majority vote carried, with Senators Blaylock, Boylan, Fasbender and Thomas voting "no".

FURTHER CONSIDERATION OF HOUSE BILL No. 305: Senator Smith moved that House Bill 305 BE CONCURRED IN. Discussion was heard as to Bills 305, 119 and an additional bill all pertaining to adult education, upon which Senator Smith withdrew his motion as premature and House Bill 305 would then pass consideration at this time.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 12:35 P.M.


Chet Blaylock, Chairman

ROLL CALL

EDUCATION COMMITTEE

45th LEGISLATIVE SESSION - - 1977

Date March 8,
1977

NAME	PRESENT	ABSENT	EXCUSED
Senator Chet Blaylock, Chairman	✓		
Senator Ed Smith, Vice Chairman	✓		
Senator George McCallum	✓		
Senator Bill Mathers	✓		
Senator William E. Murray	✓		
Senator Frank Dunkle	✓		
Senator Paul Boylan	✓		
Senator Larry Fasbender			✓
Senator Bill Thomas	✓		
Senator Margaret Warden	✓		
			037

SENATE COMMITTEE EDUCATION

Date February 22, 1977 HOUSE Bill No. 66 Time

NAME	YES	NO
Senator Chet Blaylock, Chairman	L	
Senator Ed Smith, Vice Chairman	L	
Senator George McCallum	L	
Senator Bill Mathers	L	
Senator William E. Murray	L	
Senator Frank Dunkle	✓	
Senator Paul Boylan	✓	
Senator Larry Fasbender	L	
Senator Bill Thomas	L	
Senator Margaret Warden	✓	

Jennie Lind
Secretary

Chet Blaylock
Chairman

Motion: Senator Larry Fasbender moved that House BILL No. 66
BE CONCURRED IN; motion was seconded and carried unanimously.
Sen. Fasbender to carry on floor.

(include enough information on motion--put with yellow copy of committee report.)

STANDING COMMITTEE REPORT

March 9 1977

MR. President,

We, your committee on EDUCATION

having had under consideration HOUSE Bill No. 66,

Respectfully report as follows: That HOUSE Bill No. 66,

Third Reading Bill,

DO PASS

BE CONCURRED IN

039

2. Amend Committee of the Whole Amendment No. 1, insertion paragraph.

Following: "(32,500)"

Strike: "32,500"

Insert: "35,000"

(Amendment opposed by Aber, Boylan, Dover, Dunkle, Etchart, Galt, Goodover, Kolstad, Lockrem, Manley, Murray, Nelson, Olson, Rasmussen, Roskie, Stephens, Story.)

(Material in parentheses denotes cancelled type.)

And, as so amended, do pass. Opposed by Aber, Bergren, Blaylock, Boylan, Dover, Dunkle, Etchart, Galt, Goodover, Kolstad, Lockrem, McCallum, Manley, Nelson, Roskie, E. Smith, Story, Watt.

That Senate Bill No. 352 do pass. Unanimously passed.

That Senate Bill No. 378 be indefinitely postponed. Opposed by Aber, Bergren, Blaylock, Brown, Fasbender, Flynn, Hager, Jergeson, Lockrem, Lowe, McOmber, Manning, Mathers, Murphy, Norman, Rasmussen, Regan, Roberts, E. Smith, Thomas, Towe, Watt.

That the Committee rise and report, and beg leave to sit again. (Murray, Chairman)

Upon motion of Senator Murray, duly carried, the foregoing Report of the Committee of the Whole was adopted.

Senate recessed at 3:55 p.m.

Senate resumed at 4:08 p.m.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Murray in the Chair. Committee arose.

Senate resumed. President McOmber in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 50 be amended as follows:

1. Amend page 2, section 2, line 17.

Following: "date."

Insert: "In no event shall this suspension continue beyond December 31, 1978."

And, as so amended, be concurred in. Opposed by Bergren, Boylan, Fasbender, Hager, Himsl, Lockrem, Lowe, Thiessen.

That House Bill No. 66 be concurred in. Opposed by Aber, Bergren, Flynn, Himsl, Olson, Regan, Roskie, Thiessen.

That the Committee rise and report. (Murray, Chairman)

Upon motion of Senator Murray, duly carried, the foregoing Report of the Committee of the Whole was adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Roberts, Roskie, E. Smith, . Smith, Stephens, Story, Turnage, Watt, Mr. President.

Total 41

Noes: None.

Total 0

Excused: Lee, Regan, Thiessen, Towe.

Total 4

Absent or not voting: Graham, McCallum, Rasmussen, Thomas, Warden.

Total 5

House Bill No. 62 was concurred in by the following vote:

Ayes: Aber, Bergren, Blaylock, Boylan, Brown, Devine, Dover, Dunkle, Etchart, Fasbender, Flynn, Galt, Goodover, Hager, Hazelbaker, Healy, Himsl, Jergeson, Kolstad, Lensink, Lockrem, Lowe, Manley, Manning, Mathers, Mehrens, Murphy, Murray, Nelson, Norman, Olson, Peterson, Roberts, Roskie, E. Smith, R. Smith, Stephens, Story, Thomas, Turnage, Watt, Mr. President.

Total 42

Noes: None.

Total 0

Excused: Lee, Regan, Thiessen, Towe.

Total 4

Absent or not voting: Graham, McCallum, Rasmussen, Warden.

Total 4

House Bill No. 66 was concurred in by the following vote:

Ayes: Boylan, Brown, Devine, Dover, Dunkle, Etchart, Fasbender, Galt, Goodover, Hager, Hazelbaker, Healy, Himsl, Jergeson, Kolstad, Lensink, Lockrem, Lowe, Manning, Mathers, Mehrens, Murphy, Nelson, Norman, Peterson, Roberts, Roskie, E. Smith, R. Smith, Stephens, Story, Thomas, Towe, Turnage, Watt, Mr. President.

Total 36

Noes: Aber, Bergren, Blaylock, Flynn, Manley, Murray, Olson.

Total 7

Excused: Lee, Regan, Thiessen.

Total 3

Absent or not voting: Graham, McCallum, Rasmussen, Warden.

Total 4

(Including the following pair: Towe, aye - Blaylock, no.)

House Joint Resolution No. 68 was concurred in by the following vote:

Ayes: Aber, Bergren, Blaylock, Boylan, Brown, Devine, Dover, Dunkle, Etchart, Fasbender, Flynn, Galt, Goodover, Hager, Hazelbaker, Healy, Himsl, Jergeson, Kolstad, Lensink, Lockrem, Lowe, Manley, Manning, Mathers, Mehrens, Murphy, Murray, Norman, Peterson, Roberts, Roskie, E. Smith, R. Smith, Stephens, Story, Thomas, Turnage, Mr. President.

Total 39

Noes: Nelson, Olson, Watt.

Total 3

Excused: Lee, Regan, Thiessen, Towe.

HOUSE BILL NO. 66

INTRODUCED BY ROBBINS, BERTELSEN

SIVERTSEN, O'CONNELL, GILLIGAN, PISTORIA, KIMBLE

A BILL FOR AN ACT ENTITLED: "AN ACT CREATING A FIRE SERVICES TRAINING SCHOOL."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Fire services training school -- creation -- allocation to the board of public education. There is a fire services training school. The fire services training school is allocated to the board of public education for purposes of planning and coordination. The budget request for the fire services training school ~~shall--be~~ SHALL BE ~~included--with--the--budget--request--of~~ SUBMITTED THROUGH the board of public education. The ~~governance--management--and~~ control GENERAL SUPERVISION of the school is vested in the board of public education.

Section 2. Purpose of fire services training school. The purpose of the fire services training school is to:

- (1) reduce the loss of life and personal injury caused by fire;
- (2) reduce property damage and loss caused by fire;
- (3) provide paid, volunteer, and other publicly or privately employed firefighters with professional training

~~at--minimum--cost;~~

(4) provide training in investigating the cause of fire;

(5) develop new methods of fire prevention and firefighting;

(6) provide expertise for testing firefighting methods and firefighting equipment;

(7) provide public educational programs to promote fire prevention.

Section 3. Fire services training advisory council.

(1) The board of public education shall appoint a fire services training advisory council to work with the director of the fire services training school. The membership of the council shall include the following:

- (a) a fire chief;
- (b) a volunteer firefighter;
- (c) a paid firefighter;
- (d) a fire service instructor;
- (e) a person involved in fire prevention;
- (f) an engineering representative of the insurance services office;
- (g) a representative of the fire protection engineering industry;
- (h) a fire control officer recommended by the administrator of the division of forestry.

REFERENCE BILL

1 (2) The board shall solicit and consider the
2 recommendations of appropriate organizations and
3 associations of fire service personnel in making
4 appointments under subsection (1) of this section.

5 (3) Members appointed shall serve for a 4-year term.
6 If a vacancy occurs, a member shall be appointed to fill the
7 unexpired term. A member may be reappointed.

8 (4) The state fire marshal and director of the fire
9 services training school are ex officio members of the
10 council.

11 Section 4. Organization of fire services training
12 advisory council -- procedures -- compensation of members.

13 (1) The members of the fire services advisory council shall
14 elect a chairman, a vice-chairman, and such other officers
15 considered advisable by the council. The terms of the
16 officers shall be established by the council.

17 (2) The council shall adopt rules governing its
18 procedures subject to approval of the board of public
19 education.

20 (3) Members of the council shall receive compensation
21 under 59-538, 59-539, and 59-801.

22 Section 5. Duties of the fire services training
23 advisory council. The fire services training advisory
24 council shall advise the board and director of the fire
25 services training school on planning, coordination,

1 governance, management, and control of the fire services
2 training school to promote the purposes of the school.

3 Section 6. Appointment of director of the fire
4 services training school. (1) The board of public education
5 shall appoint the director of the fire services training
6 school. The director is responsible to the board for
7 carrying out the provisions of this act.

8 (2) The director may be removed for cause.

9 (3) The director must have the following
10 qualifications:

11 (a) a bachelor's degree in a field of study related to
12 fire protection; or

13 (b) 5 years' experience in an organized training
14 program as an instructor and 7 years' experience as a
15 firefighter or fire combat officer.

16 Section 7. Duties of fire services training school
17 director. The director shall appoint a staff and execute
18 policies and programs established by the board of public
19 education for the fire services training school. The
20 director is responsible for the direction of staff and
21 operation of the school.

22 Section 8. Acceptance of gifts, donations, and grants
23 authorized. The board of public education may accept gifts,
24 donations, and grants of property and services on behalf of
25 the fire services training school. The board may enter into

1 contractual agreements necessary to facilitate achievement
2 of the purposes of the school.

3 SECTION 9. THE BOARD OF PUBLIC EDUCATION MAY ESTABLISH
4 A COST RECOVERY FEE FOR TRAINING OF COMMERCIALY EMPLOYED
5 FIREFIGHTERS AND SUCH FEES SHALL BE DEPOSITED TO THE GENERAL
6 FUND.

7 Section 10. Coordination with other agencies. The fire
8 services training school shall coordinate its programs and
9 cooperate with state and local fire services to the maximum
10 possible extent in accordance with the policy of the board
11 of public education.

-End-